

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DESHAWN WITCHER,

Petitioner,

Case No. 1:06-cv-379

v

HON. JANET T. NEFF

JOHN PRELESNIK,

Respondent.

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**FINAL ORDER**

In accordance with the Opinion entered this date:

**IT IS HEREBY ORDERED** that the objections (Dkt 47) are DENIED and the Report and Recommendation of the Magistrate Judge (Dkt 44) is APPROVED and ADOPTED as the opinion of the Court.

**IT IS FURTHER ORDERED** that the petition for habeas corpus relief (Dkt 1) is DENIED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is DENIED as to each issue asserted.

Date: August 7, 2009

/s/Janet T. Neff  
JANET T. NEFF  
United States District Judge